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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/018,144

04/11/2002

Bjorn Liedtke

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04/24/2006

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EXAMINER

MAZUMDAR, SONYA

ART UNIT

PAPER NUMBER

1734

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER

ART UNIT	PAPER
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20060420

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached.

Sue A. Purvis
Primary Examiner
Art Unit: 1734

Art Unit: 1734

1. The reply brief filed 15 February 2006 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

2. Responsive to the reply brief under 37 CFR 41.41 filed on 15 February 2005, a supplemental Examiner's Answer is set forth below:

Applicant argues on page 6 that the lamination station set forth in claim 51 is "not just any lamination station, this is a laminating station that can apply double-sided adhesive film" and that "clearly limits the claim to that type of lamination station." Applicant is attempting to characterize the lamination station functionally, rather than structurally. While features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. *In re Schreiber*, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir. 1997). (See MPEP 2114.) Claim 51 requires a "lamination station" with "a rotatable pressure roller" and "a device for moving" the substrate "linearly past" the "pressure roller." All of these structural features are set forth in the JP '377 as described in the Examiner's Answer and as such JP '377 teaches the claimed lamination station.

Applicant argues on page 8 at footnote 1 that the examiner has made a "bold statement presented as fact without any support" that the apparatus of JP '377 would be capable of handling adhesive film that is adhesive on two sides. This statement is not bold, merely a result of reviewing the invention and the system in JP '377. The adhesive film in

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applicant's invention is shown in Figure 2, the laminating film (23) includes an adhesive film (25) which is adhesive on both sides and includes a protective film (24) and a carrier film (26) on opposing sides. There is nothing about the double-sided adhesive film which would make it impossible to be used in JP '377. For example, the feed roller (42) shown in Figure 6 of JP '377 can be used to feed the laminating film (23) much in the same manner that applicant does so in Figure 2 of the instant application.

Applicant goes on to assert on page 10 of the reply brief that the lamination station which applied a double-sided adhesive film would need "an additional separation device for removing a protective film or the intervening rollers will need to be of a non-stick surface." Neither of these features are claimed by the applicant and as admitted to by the applicant, they would be inherent if double-sided adhesive film were being used. Furthermore, a claim which contains a "recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural limitations of the claim. *Ex parte Masham*, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987). (See MPEP 2114.)

It is noted that the arguments on pages 11 through 21 of the Reply Brief are exactly the same as in the Appeal Brief and were addressed in the Examiner's Answer.

3. Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

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A Technology Center Director or designee has approved this supplemental examiner's answer by signing below:



Sue A. Purvis
Primary Examiner
Art Unit 1734



CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER

Art 1734



GREGORY MILLS
QUALITY ASSURANCE SPECIALIST